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SUBJECT: INTER-PARLIAMENTARY CONFERENCE DIALOGUE TAMES
RHETORIC OVER MERIDA "CONDITIONS" ... FOR NOW

¶1. Summary. The Mexican press has been consumed over much of the last two weeks with criticism of potential "conditions" attached to legislation being considered by the U.S. Congress in the debate over the Merida Initiative. Senior Mexican government officials and Congressional leaders alike have categorically rejected any conditions on U.S. assistance to Mexico insisting on "coresponsibility." This theme was repeated in the course of the annual Interparliamentary Conference hosted this year in Monterrey June 6-8 with participation of senior Congressional leaders from Mexico and the U.S. The U.S. congressional delegation applauded Mexico for its efforts in the fight against organized crime, committed the U.S. to cooperating with Mexico in this struggle, and conveyed appreciation for Mexican sensitivities about conditions, pledging to produce a new version that both sides would find acceptable. End Summary.

The Storm Before the Calm

¶2. Mexican commentators and politicians have been practically unanimous in rejecting conditions on U.S. assistance to Mexico to fight organized crime. Many have likened the conditions to the drug "certification" process which Mexico found so disagreeable over the last decade. Mexico's Deputy Attorney General Vasconcelos remarked that the U.S. should spend its money addressing problems on its side of the border if it was going to attach conditions to the Merida Initiative. Interior Secretary Juan Mourino similarly made it clear that Mexico would consider conditions placed on the initiative "inappropriate" and "unacceptable." The Director of Mexico's National Commission on Human Rights (CNDH) Jose Luis Soberanes Fernandez maintained that his organization would monitor the military's compliance with human rights norms and didn't need the U.S. Congress to do it for him. He objected to language in Congressional legislation that would call for Mexico to try cases against the Mexican military in civilian courts maintaining this would be unconstitutional. He also challenged a provision in U.S. draft legislation to give the UN's Human Rights Office in Mexico one million dollars to support its work.

¶3. The Mexican Congress lined up behind the government similarly rejecting any U.S. conditions on assistance. Senator Rosario Green, the President of the Mexican Senate's Foreign Relations Commission, told PolOff that all of Mexico's parties had come together in agreement on this issue. She stressed Mexico was fighting a war with its police and military outgunned and that it was insulting for the U.S. to insist Mexico meet certain conditions before it receives assistance. She appreciated the need for cooperation with the U.S. but maintained it was "in the blood" of Mexicans to resist any appearance of infringement on Mexican sovereignty. She was resentful that Mexican NGOs had filed complaints with U.S. officials, asserting Mexico availed plenty of institutions for their complaints. She

warned that some groups abused their access, suggesting that at least one group in the past had passed funds it had received from the German government to a Zapatista guerrilla group.

¶4. Seeking to establish an oversight function on the Merida Initiative, the President of the Mexican Senate's North American Commission, Senator Ricardo Garcia Cervantes, sponsored a resolution May 23 to create an ad hoc committee to evaluate the Merida Initiative, track its "progress," and pursue coordination with U.S. congressional officials. When a group of some eight Mexican senators and eight deputies convened on June 4 they agreed on a resolution that asserted that Mexico's Permanent Commission

- endorsed the Government's rejection of any conditions placed on U.S. assistance;

- rejected any strategy that did not recognize both countries' responsibility in the fight against drug trafficking;

- and exhorted the Mexican delegation to the Interparliamentary Conference in Monterrey to seek a resolution of this matter with its U.S. counterparts in the framework of shared responsibility and respect for the sovereignty of both countries.

Letting Off Steam in Monterrey

¶5. Mexico's delegation of some 10 Senators and 13 Deputies minced few words in conveying its objections to U.S. congressional conditions on the Merida Initiative at the Interparliamentary Conference in Monterrey June 6-8. Speaking on behalf of the group, Deputy Alejandro Chanona Burquete of the Convergence Party, inter alia 1) rejected any conditions on assistance, 2) called for cooperation in the fight against drug traffickers, and 3) recommended the creation of a binational committee to evaluate the strategy for combating organized crime. Congressional representatives from across Mexico's entire political spectrum repeatedly stressed their desire to cooperate with the U.S. but made it clear they found the subject of conditions "insulting."

¶6. U.S. Senator Dodd had set the tone for dialogue over the weekend when in his opening remarks he recognized the Mexican government's sacrifices in the fight against organized crime, applauded its efforts, stressed the importance of cooperation between the U.S. and Mexico, and appealed for a "lowering of the temperature" on the debate in recognition of his confidence that the U.S. would come up with legislation that Mexico would find acceptable. He also circulated a letter from from Senator Leahy that pledged a commitment to cooperation with Mexico. Other members of the U.S. delegation, including Representative Pastor who gave a detailed description of the legislative process and Representative Brian Bilbray who promised to be Mexico's most passionate advocate on its security efforts reinforced the U.S. delegation's appreciation for Mexican sensitivity over conditionality. Dodd urged the Mexican Congress to hold its executive leaders accountable for their efforts including the Merida Initiative.

¶7. Dodd used the press conference to send a positive message of unity on the Merida Initiative. Speaking directly to the Mexican drug cartels, he maintained the U.S. and Mexico may have their differences but that the U.S. stood with Mexico in its fight against organized crime and that the cartels would lose. Deputy Ruth Zavaleta, Mexico's delegation head, declined to comment directly on the controversy over the Merida Initiative. However, after repeated queries, Mexican Senator Green remarked that Senator Dodd had "promised" to address concerns on conditions. The Mexican delegation was predisposed to trust their U.S. counterparts but needed to wait and see what the final draft looked like.

And the Rest of the Story in Monterrey

¶8. In addition to its session on the Merida Initiative, the two delegations in Monterrey focused on migration and competitiveness. The Mexican representatives stressed concern about U.S. policy relating to deportations which they described as inhumane; they also complained that construction of a wall set the wrong tone for two neighboring countries seeking to deepen commercial ties and law enforcement cooperation. Zavaleta, the President of Mexico's Chamber of Deputies, gave an emotional speech about how her brother had crossed into and continued living in the U.S. illegally as an undocumented worker, injecting a human, personal element into the issue.

¶9. The U.S. representatives presented a divided picture. Democrats spoke to their commitment to reform that would allow for millions of undocumented workers to gain -- over time -- legal status. They described both candidates for U.S. President as forward leaning on this issue but conceded neither candidate would likely move on immigration reform as a high priority in his first year. The Republican representatives spoke to the need for reform to allow more workers to come into the U.S. legally to take up employment in targeted areas but rejected the concept of "rewarding" those who had already entered and were living in the U.S. illegally.

¶10. The merits and faults of NAFTA served the focused for much of the debate over competitiveness with Mexican leftists insisting it had proven counterproductive but with supporters arguing for greater integration of our economies. The U.S. representatives offered Ireland as a developmental model for Mexico urging more GOM attention to education. The Mexicans pointed out that Ireland had received much financial support as a member of the European Union, hinting the U.S. should consider providing Mexico with that kind of support. Both sides discussed the need to facilitate trade and commerce on the border.

¶11. Comment. Most Mexicans regard cooperation with the U.S. as an essential component in the country's efforts to take on organized crime. However, in view of Mexico's history with the U.S. and the responsibility they believe the U.S. shares for the problems Mexico faces as a result of the drug trade, almost all Mexicans describe the concept of conditions on U.S. assistance to Mexico as unacceptable. The Mexican representatives signaled they were prepared to give their U.S. counterparts the benefit of the doubt on the question of recrafting the legislation on the Merida Initiative. They want to find terms that Mexican can live with. The challenge for the U.S. Congress will lie in producing language that meets the minimum U.S. requirements for exercising oversight and complying with U.S. law without overstepping Mexico's red lines when it comes to terms it consider tantamount to a certification process.
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